



Canadian Federation of Library Associations
Fédération canadienne des associations de bibliothèques

April 8, 2019

Pamela Miller
Director General
Telecommunications and Internet Policy Branch
Innovation, Science and Economic Development Canada
235 Queen Street, 10th Floor
Ottawa, Ontario K1A 0H5
Email: ic.telecomsubmission-soumissionstelecom.ic@canada.ca

Dear Ms. Miller,

The Canadian Federation of Library Associations/Fédération Canadienne des associations de bibliothèques (CFLA-FCAB) is the national voice of Canada's library associations. Our purpose is to advance library excellence in Canada, champion library values and the value of libraries and influence national and international public policy impacting libraries and their communities.

We would like to take this opportunity to provide comments on the **March 9, 2019, Canada Gazette, Part I, Volume 153, Number 10: Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives to Promote Competition, Affordability, Consumer Interests and Innovation.**

General comments

The proposed Order provides numerous considerations for the Commission when relying on regulation; however, nothing directs the Commission to specifically consider the unique challenges of rural, remote and Indigenous communities

While the Telecommunications Act, s. 7(b) does establish the objective of ensuring that affordable, high quality services are accessible in both urban and rural areas in all regions of Canada, the Proposed Order could be strengthened by directing the Commission to specifically consider more active regulation and intervention in rural, remote and Indigenous communities.

More active involvement by the Commission in these communities is necessary as such communities often lack market forces. As noted by the House of Commons Standing Committee on Industry, Science and Technology from their 2018 report on rural broadband, in rural, remote and Indigenous communities market forces may be nascent or absent.¹ Given the need for regulation in rural, remote and Indigenous communities, the Proposed Order could be strengthened by explicitly directing the

¹ Canada – House of Commons Standing Committee on Industry, Science and Technology. 2018. *Broadband Connectivity in Rural Canada: Overcoming the Digital Divide*. p. 20.
<https://www.ourcommons.ca/Content/Committee/421/INDU/Reports/RP9711342/indurp11/indurp11-e.pdf>

Commission to consider a broader range of regulatory powers to address issues related to the provision of telecommunications services in these communities.

Spectrum Policy Framework for Canada

On March 22, 2006 the Minister of Industry, received the Telecommunications Policy Review Panel (TPRP) report. The Minister stated at that time that, "The telecommunications sector is of critical importance to Canada's economy and our future well-being. I intend to work, along with my Cabinet colleagues, to ensure that Canada has a policy and regulatory framework that provides Canadians with access to telecommunications services which are, in every sense, world class".²

In December 2006 the Governor in Council issued a policy direction to the Canadian Radio-television and Telecommunications Commission (CRTC) directing the CRTC to rely on market forces to the maximum extent feasible under the *Telecommunications Act*, and to regulate where there is still a need to do so in a manner that interferes with market forces to the minimum extent necessary.³ Flowing from the 2007 Policy Direction, in 2007 the *Spectrum Policy Framework for Canada* was revised placing the same disproportionate emphasis on market forces.

The Department noted that :

- new and rapidly changing technology and accompanying market demands which are expected to challenge the Department's ability to anticipate and respond to requirements for access to spectrum in a timely manner;
- globalization, which elevates the need to ensure that there is a regulatory environment conducive to the efficient assignment of spectrum among competing uses that is internationally harmonized to the greatest extent feasible; and
- the increased focus on public safety and security, which is reflected in an array of emerging issues.⁴

Given the previous Policy Direction resulted in a new *Spectrum Policy Framework for Canada*, does the government intend to direct Innovation, Science and Economic Development to revisit the *Spectrum Policy Framework for Canada*?

Community Access Program

In 2009, Industry Canada concluded that the Community Access Program (CAP) had "out-lived its usefulness as a means to bring the internet to communities across Canada" and goes on to state that "internet access and use has increased significantly since the creation of CAP in the mid-1990's, with ninety-four percent (94%) of Canadians now living in a community where broadband is available for purchase."

² Spectrum Policy Framework for Canada <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08776.html>

³ Ibid.

⁴ Ibid.

The result was a greater emphasis on using the private sector and individuals to provide access and support the costs. The report acknowledged at that time there remained a digital divide among specific demographic groups and that the best way to address this was needed and fell outside of the scope of the Department's final evaluation.⁵

Comments on specific parts of the order

(iii) ensure that affordable access to high quality telecommunications services is available,

(v) reduce barriers to entry and barriers to competition for new and smaller telecommunications service providers,

The Proposed Order aims to reduce barriers to entry for smaller telecommunications service providers. One means that could strengthen the Order would be to specifically highlight the role and importance of community anchor organizations, such as libraries, schools and community centres as major community anchor tenants for broadband services. Community anchor institutions, with their need for significant capacity for broadband and other telecommunication services, may be important organizations for new and smaller telecommunication service providers to service in order to ensure more viable community level business models.

Furthermore, community anchor institutions, and libraries in particular, can serve as particularly valuable showcases for the advantages of new telecommunications services. For example, in Olds, Alberta, when the locally- owned O-Net network was being developed, the Olds Municipal Library served as a showcase for the affordances of the new 1 Gbps fibre optic service. Providing a role for libraries and other community anchor organizations as showcases for new telecommunications services can serve as a means for encouraging demand and uptake of new telecommunications services.

(vii) stimulate investment in research and development and in other intangible assets that support the offer and provision of telecommunications services

The proposed order encourages the Commission to stimulate investment in research and development and other intangible assets that support the offer and provision of telecommunication services. This section of the Proposed Order could be enhanced by specifically directing the Commission to consider demand-side barriers to use of telecommunication services. In this regard, the Commission could specifically consider the role of libraries as places for the enhancement of digital literacy skills.

The Proposed Order specifically directs the Commission to “encourage all forms of competition.” This point could be strengthened by providing greater clarity to the CRTC that it should encourage both facilities and services based competition. Services based competition can serve as a particularly valuable means of encouraging the development of telecommunication services in communities where competition

⁵ Final Evaluation of the Community Access Program (CAP) <https://www.ic.gc.ca/eic/site/ae-ve.nsf/eng/03126.html#p0.4>

among facilities based providers is lacking due the absence of multiple facilities based telecommunication services.

The Canadian library community feels it is imperative to ensure that the highest speed possible be made a goal for all communities in Canada. From our point of view, universal Internet access is equated to universal access to knowledge, social supports, government services, employment, housing, etc.

More particularly, we feel that equity of access to knowledge is increased when all Canadians have access to shared resources purchased by libraries on behalf of Canadians. At the same time, affordable fast Internet access is an essential component of library service in all communities, and has a particularly strong effect in rural, remote, and Indigenous communities where household access may be weak. We believe there is an inherent synergy between broad household access and access through public institutions such as libraries, which are uniquely positioned to catalyze the skills and awareness needed for full penetration.

Furthermore, we propose that libraries are an essential partner in bringing access to underserved communities and act as an early adopter client to leverage private/public sector investments in infrastructure. For example, Newmarket (Ontario) Public Library is an early adopter of the local municipally-owned broadband provider Envi, which has allowed the library to multiply by a factor of 5 the Internet speed it offers users.

We thank you for the opportunity to comment on such an important topic that affects all Canadians.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. McColgan', written in a cursive style.

Katherine McColgan
Executive Director